Attorney Docket No.: 0237.045

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant:	ANDERSSON, Bo	Confirmation No.:	7176
Serial No.:	10/727,732	Group Art Unit:	3572
Filing Date:	December 4, 2003	Supervisory Patent Examiner:	E. KEASEL Technology Center 3700
Title:	BALL CHECK VALVE		

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically to: United States Department of Commerce, United States Patent and Trademark Office, Supervisory Patent Examiner Eric KEASEL, Technology Center 3700, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on February 6, 2007.

Attorney for Applicant
Reg. No. 26,429

Dated: February 6, 2007

To: United States Department of Commerce
United States Patent and Trademark Office
Supervisory Patent Examiner Eric KEASEL
Technology Center 3700
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Reply Brief in Response to Examiner's Answer

Dear Sir:

This Reply Brief is being filed in response to the Examiner's Answer dated December 7, 2006. The date to file a reply is February 7, 2007. Accordingly, this Reply Brief is timely filed.

Remarks

In response to Appellants Appeal Brief, the Examiner maintains that it would have been obvious to one having skilled in the art at the time the invention was made to utilize the shock absorbing members that are in the valve of Brehem (5,427,352) into the hollow ball of Werra et al. (3,105,516) in order to dampen the movement of the ball. The Examiner further argues that valve motion is axiomatic to all valves.

However, the Examiner continues to ignore the fact that the valves disclosed in these two patent references, and the movement of the valve components (e.g. ball vs. armature) in these valves, are completely different. For example, the electromagnetic valve consists of limited two-dimensional movement at a constant velocity of an armature with a limited impact surface. The ball used in a ball check valve, on the other hand, moves in three-dimensions (e.g spins and rotates) in a chamber with free flowing fluid. The movement of the ball in the ball check valve is unpredictable and at different velocities at different times. Also, the impact surface of the ball is not limited or focused like the impact surface of the armature in the electromagnetic valve. Therefore, there is no motivation, suggestion or teaching in either of these references to use shocking absorbing members in a hollow ball in a ball check valve that moves in three-dimensions, as opposed to the limited, two-dimensional movement of the armature in an electromagnetic valve.

Conclusion

Appellant respectfully request reversal of the 35 U.S.C. §103(a) rejection of claims 1-6 based on Werra in view of Brehm. Appellant submits that there is no motivation, teaching or suggestion to combine these references. Accordingly, reversal of the rejection is respectfully requested.

Dated: February 6, 2007

Respectfully submitted,

Brett M. Hutton
Attorney for Applicants
Reg. No. 46,787

HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203
Telephone: (518) 452-5600
Facsimile: (518) 452-5579